

IN THE UNITED STATES COURT
FOR THE DISTRICT OF PUERTO RICO

MINUTE OF PROCEEDINGS:

SILVIA L. CARRENO-COLL, U.S. DISTRICT JUDGE

COURTROOM DEPUTY: Reina Alvarez Miranda

Date: December 15, 2021

COURT REPORTER: Evilys Carrion

Criminal Case: 19-121 (SCC)

Attorneys

United States of America

AUSA Joseph L. Russell

v.

(1) Emmanuel Pacheco-Marin

Anita Hill-Adames (for Francisco Rebollo-Casaldue)

(2) Vladimir Natera-Abreu

Jennie M. Espada-Ocasio

(4) Jesus J. Rivera-Figueroa

Giovanni Jose Canino-Sanchez

Saam Zangeneh

(5) Jose L. Garcia-Lopez

Linda George

(7) Elvin O. Cruz-Verges

Kehylis Y. Vazquez-Torres

(9) Segismar Rodriguez-Rivera

Raul S. Mariani-Franco

(10) Luis Serrano-Nieves

Juan P. Rivera-Roman

(11) Christian O. Dalmau-Garcia

Rafael F. Castro-Lang

(12) Fabian Vilorio-Sepulveda

Jose Agustin Arce-Diaz (for Jose L. Novas-Debien)

(13) Anthony Vazquez-Arroyo

Diego H. Alcala-Laboy

(14) Luis R. Espinal-Rivera

Raul S. Mariani-Franco (for Francisco J. Adams-Quesada)

(15) Ignacio Gual-Calderon

Peter Diaz-Santiago

(16) Jonathan Rivera-Carrasquillo

Rachel Brill

(19) Joset J. Rivera-Verdejo

Ian Carlos Garcia-Ferreras (for Alejandro Sanfeliu-Vera)

(20) Jason Arroyo-Perez

Miguel A. Rodriguez-Robles

(22) Neftaly L. Oquendo-Rosario

Ignacio Fernandez-De-Lahongrais

(23) Pedro Collazo-Prieto

Richard O. Dansoh

(24) Jose O. Baez-Rosa

Giovanni Canino-Sanchez (for Juan E. Alvarez-Cobian)

(26) Jonathan O. Arce-Carrillo

Rafael F. Castro-Lang

(27) Gustavo J. Germes-Estrella

Victor A. Ramos-Rodriguez

(28) Dionicio Odali De La Rosa-Richiez

Lydia Lizarribar-Masini

(29) Anthony Gonzalez-Miranda

Robert Millan

(30) Carlos R. Nieves

Johnny Rivera-Gonzalez (for Ruben Cerezo-Hernandez)

(33) Adams E. Aquino-Rosario	Marta T. Rey-Cacho
(35) Christian J. Sierra-Perez	Johnny Rivera-Gonzalez
(36) Victor Rivera-Galindez	Eduardo Ferrer-Rios
(38) Edgardo A. Benitez-Guivas	Thomas Trebilcock-Horan
(39) Ediberto Garcia-Lopez	Irma R. Valldejuli-Perez
(40) Geovanny Morales-Rodriguez	Luis A. Rodriguez-Munoz
(43) Mario O. De Jesus-Ocasio	Mario A. Carrillo-Cotto
(45) Jose A. Colon-Otero	Miriam R. Ramos-Grateroles
(53) Edwin Rosa-Colon	Mariangela Tirado-Vales
(54) Luis O. Caban-Rodriguez	Jason Gonzalez-Delgado (for Miguel Oppenheimer)
(56) Leslie R. Dominguez-Miranda	Jason Gonzalez-Delgado (for Juan F. Matos-De-Juan)
(60) Joel C. Nieves-Torres	Jason Gonzalez-Delgado
(63) Jorge D. Alicea-Cintrón	Julio Cesar Alejandro-Serrano
(64) Jose M. Santiago-Montanez	Carlos M. Sanchez-La-Costa
(65) Jose J. Piris-Hernandez	Thomas R. Lincoln-San-Juan
(67) Luis A. Rosa-Diaz	Anita Hill-Adames
(68) Michael G. Marrero-Castro	Rosa Ivette Bonini-Laracuente
(69) Nelson A. Lopez-Quinonez	Yassmin Gonzalez-Velez
(71) Pedro J. Massas-Rivera	Jose Agustin Arce-Diaz
(72) Reynaldo M. Diaz-Verges	Joseph G. Feldstein-Del Valle
(73) Nelson L. Cuevas-Ocasio	Ian Carlos Garcia-Ferreras
(74) Carlos Gabriel Rodriguez-Melendez	Ernesto Hernandez-Milan

CASE CALLED FOR A STATUS CONFERENCE

Defense counsel, listed above, were present by Video Tele-Conference (VTC). The parties had no objections as to conducting the hearing by VTC to protect everyone's health in view of the pandemic.

The government stated that discovery has been provided, generally and individually. AUSA Russell stated that he is unaware of any pending discovery issues at this moment.

AUSA Russell informed that the defendants indicted in Criminal Case No. 19-

124-SCC, Edison Merced-Olivera (1) and Waldermar Febres-Sanchez (2), should also be indicted in Criminal Case No. 19-121-SCC as Defendants #3 and #8, but it has not happened yet. AUSA Rusell informed that the government moved for the consolidation of the cases and there was an opposition but the matter was not resolved. The Court inquired as to the opposition. Atty. Castro-Lang responded that he is representing Edison Merced-Olivera (1) in Criminal Case No. 19-124-SCC, and the reason why he raised an opposition during a previous status conference was because his client is not in the Indictment in Criminal Case No. 19-121, he stated that the government has to take the matter to a grand jury to obtain a Superseding Indictment, he stated that his objection remains and he does not consent to the consolidation of the cases until a Superseding Indictment is filed. AUSA Rusell stated that the MOTION for Joinder Separate Cases into a Single Indictment and the Response in Opposition are filed at Docket No. 37 and Docket No. 40, respectively, in Criminal Case No. 19-124-SCC.

The Court noted the statements, the case docket will be reviewed and if there are any pending matters the Court will enter a ruling.

Defense counsel for the following defendants informed that their clients will exercise their right to go to trial: Emmanuel Pacheco-Marin (1), Vladimir Natara-Abreu (2), Jesus J. Rivera-Figueroa (4), Dionicio Odali De La Rosa-Richiez (28), Anthony Gonzalez-Miranda (29), and Joel C. Nieves-Torres (60).

Atty. Rivera-Gonzalez, as to Defendant #35, informed that his client didn't want to exercise his right to trial, however, the government made an offer that the client is not in agreement with and informed that he will be requesting a Frye/Lafler hearing. Atty. Rivera-Gonzalez informed that his client is also indicted in Criminal Case No. 18-193-FAB-2 and he will be moving for the consolidation of the cases, he is trying to reach an agreement with the government that will dispose both cases.

Atty. Bonini-Laracuente informed that she has not been able to discuss the case with her client to determine if he will exercise his right to trial because he is currently absconded. Arrest Warrant was issued as to Michael G. Marrero-Castro (68), see Docket No. 1081, and it remains outstanding.

Defense counsel as to the following defendants informed that they recently received discovery and are in the process of reviewing it, discussing it and will engage in plea conversations: Joset J. Rivera-Verdejo (19), Gustavo J. Germes-Estrella (27) Carlos R. Nieves (30) and Adams E. Aquino-Rosario (33).

Atty. Mariani-Franco, as to Defendant #14, informed that Atty. Adams-Quesada has made several counteroffers to the government and they were rejected, he will present a new one and will continue engaging in plea negotiations. Atty. Mariano-Franco, as to Defendant #9, will request a proffer session with the government. The government stated that the proffer session will be scheduled as to Defendant #9.

Atty. Espada-Ocasio informed that her client, Defendant #2, will exercise his right to go to trial and she requested that he be included in the first group of defendants that will be scheduled for trial. She informed that she is disappointed that neither AUSA Loepez-Rocafort or AUSA Zapata-Valladares are present in this hearing since they are the ones who have been abreast of all the issues her client has encountered in the institution where he is housed. Atty. Espada-Occasion informed that the institution is plagued with corruption and that the communication with her client has been difficult, he is not allowed social visits, she was able to visit him only once and he does not have access to the discovery. She informed that she is frustrated at the complete lack of effective communication with the different institutions that hold authority over her client's detention, she is in the process of requesting he Court an order to bring him back to Puerto Rico. The Court noted the statements, defendant

Vladimir Natera-Abreu (2) will be included in the first group of defendants who will be scheduled for trial.

Atty. Diaz-Santiago informed that he needs time to discuss discovery with his client and engage in plea conversations since he does not know where his client is currently housed, he has not been able to talk to his client, he informed that basically he is having the same situation as Atty. Espada-Ocasio, he will request a proffer meeting with the government. The Court noted the statement, defendant Ignacio Gual-Calderon (15) will be included in the first group of defendants who will be scheduled for trial.

The Government stated that proffer sessions for those defendants that have not had one will be scheduled if requested by defense counsel.

The Court granted the parties 75 days until the next conference.

Further Status Conference is set for 2/28/2022 at 9:00 AM in Courtroom 6 before Judge Silvia L. Carreno-Coll. STA tolled in the interest of justice. The Court finds that the defendants' need to review discovery and engage in plea negotiations outweighs the defendants' and the community's interest in a speedy trial.

In San Juan, Puerto Rico, this 15th day of December, 2021.

s/ Reina Alvarez Miranda
COURTROOM DEPUTY